

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MISSOURI DOCTORS MUTUAL)
INSURANCE COMPANY,)

Plaintiff,)

vs.)

MISSOURI PHYSICIANS MUTUAL)

Defendant.)

Case No. 05-6071-CV-SJ-FJG

ORDER, JUDGMENT, AND DISMISSAL WITH PREJUDICE

Upon the parties joint Motion the Court hereby enters the following Order Judgment, and Dismissal With Prejudice.

1. Missouri Physicians Mutual agrees that it does not and will not contest the validity of Missouri Doctors Mutual Insurance Company's "MODOCS" or "Missouri Doctors Mutual Insurance Company" marks. This Court finds the marks to be valid.

2. Missouri Doctors Mutual Insurance Company agrees that it does not and will not contest the validity of MPM's "Missouri Physicians Mutual" or "MPM" marks. The Court finds these marks to be valid.

The parties have reached a settlement resolving this litigation. Each party hereby dismisses with prejudice any claims asserted herein. Neither party admits any fault or wrongdoing. Each party shall bear its own costs and attorneys fees. Accordingly, the above referenced action is hereby **DISMISSED with PREJUDICE.**

Date: August 31, 2006
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge